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Atty. Docket No: 2866 (203-3509 PCT US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Lee Ann Olson et al.

EXAMINER: Michelle Lopez

SERIAL NO.: 10/529,799

GROUP: 3721

FILED: March 30, 2005

DATED: December 17, 2007

FOR: **SURGICAL STAPLER WITH UNIVERSAL
ARTICULATION AND TISSUE PRE-CLAMP**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

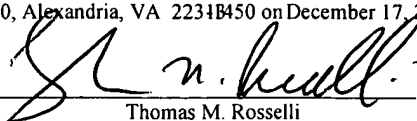
**REQUEST TO CORRECT INVENTORSHIP UNDER 35 U.S.C. §116 AND
37 C.F.R. §1.48(a)**

In accordance with 35 U.S.C. §116 and 37 C.F.R. §1.48(a), it is respectfully requested that the inventorship of pending U.S. Patent Application Serial No. 10/529,799 be corrected. Through unintentional error Philip Roy of Orange, Connecticut, John W. Beardsley of Wallingford, Connecticut, and David C. Racenet of Litchfield, Connecticut were not named as inventors in the above-referenced pending application. A duly executed statement from each person being added as an inventor is attached as evidence that such error arose without any deceptive intent and that all parties are in agreement and the current inventorship change is not contested.

CERTIFICATION UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22314-1450 on December 17, 2007.

Dated: December 17, 2007


Thomas M. Rosselli

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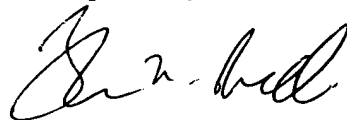
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Attached is a duly executed statement from Mark Farber, an attorney and Assistant Secretary for the assignee, attesting to the facts that the assignee, Tyco Healthcare Group LP, is in agreement with and does not contest the correction of inventorship.

A Declaration and an Assignment, both of which are duly executed by each of the inventors is also enclosed.

The Commissioner is authorized to charge \$130.00 to Deposit Account No. 21-0550 to cover the fee set forth in 37 C.F.R. § 1.17(i). Please charge any deficiency, or credit any over payment to Deposit Account No. 21-0550, without further authorization. TWO COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,



Thomas M. Rosselli
Reg. No. 53,532
Attorney for Patentee(s)

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Melville, New York 11747
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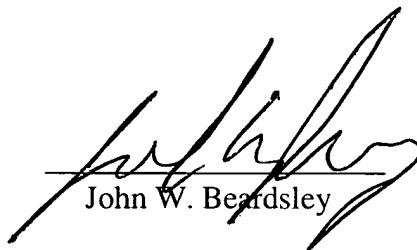
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**STATEMENT FROM PERSON BEING ADDED AS INVENTOR THAT THE
INVENTORSHIP ERROR OCCURRED WITHOUT ANY DECEPTIVE
INTENTION ON HIS PART IN ACCORDANCE WITH 37 C.F.R §1.48(a)**

I, John W. Beardsley of Wallingford, Connecticut, in accordance with 37 C.F.R.
§1.48(a), declare that through inadvertent error I was not named as an inventor for U.S.
Patent Application No. 10/529,799 and that the error in inventorship occurred without
any deceptive intention on my part.

Signature:


John W. Beardsley

Date:

11/06/07



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**STATEMENT FROM PERSON BEING ADDED AS INVENTOR THAT THE
INVENTORSHIP ERROR OCCURRED WITHOUT ANY DECEPTIVE
INTENTION ON HIS PART IN ACCORDANCE WITH 37 C.F.R §1.48(a)**

I, David C. Racenet of Litchfield, Connecticut, in accordance with 37 C.F.R.
§1.48(a), declare that through inadvertent error I was not named as an inventor for U.S.
Patent Application No. 10/529,799 and that the error in inventorship occurred without
any deceptive intention on my part.

Signature:


David C. Racenet

Date:

10/29/2007



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**STATEMENT FROM PERSON BEING ADDED AS INVENTOR THAT THE
INVENTORSHIP ERROR OCCURRED WITHOUT ANY DECEPTIVE
INTENTION ON HIS PART IN ACCORDANCE WITH 37 C.F.R §1.48(a)**

I, Philip Roy of Orange, Connecticut, in accordance with 37 C.F.R. §1.48(a),
declare that through inadvertent error I was not named as an inventor for U.S. Patent
Application No. 10/529,799 and that the error in inventorship occurred without any
deceptive intention on my part.

Signature:


Philip Roy

Date:

10/29/07



PATENT
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**ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION IN
ACCORDANCE WITH 37 C.F.R. §3.73(b) AND STATEMENT FROM ASSIGNEE
AGREEING TO THE CHANGE OF INVENTORSHIP IN ACCORDANCE WITH
37 C.F.R §1.48(a)**

In accordance with 37 C.F.R. § 3.73(b), documentary evidence of the chain of title of pending U.S. Patent Application Serial No. 10/529,799 from the original inventors, Lee Ann Olson, Ralph A. Stearns and Clifford L. Emmons, to the assignee, Tyco Healthcare Group LP is enclosed herewith. More specifically, enclosed is a copy of an executed assignment by Lee Ann Olson, Ralph A. Stearns and Clifford L. Emmons to Tyco Healthcare Group LP which was recorded at Reel/Frame 017572/0645 in the assignment records of the United States Patent and Trademark Office on February 13, 2006.

Also enclosed is a newly executed assignment by Philip Roy of Orange, Connecticut, John W. Beardsley of Wallingford, Connecticut, and David C. Racenet of Litchfield, Connecticut to Tyco Healthcare Group LP which is currently being submitted to the United States Patent and Trademark Office for recordation pursuant to 37 C.F.R. §3.11.

I, Mark Farber, in accordance with 37 C.F.R. §3.73(b) declare that the assignee, Tyco Healthcare Group LP, is in agreement with the change of inventorship to add Philip Roy of Orange, Connecticut, John W. Beardsley of Wallingford, Connecticut, and David C. Racenet of Litchfield, Connecticut, as inventors for U.S. Patent Application No. 10/529,799. I presently hold the position of Assistant Secretary for Tyco Healthcare Group LP, and in such capacity, I am an officer of the assignee having apparent authority to sign on behalf of the assignee.

Signature:


Mark Farber

Date:

